

Response Under 37 CFR 1.116
 Expedited Procedure
 Examining Group: 2611

8/1/03

8/01/03

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of : Toshihiro SUGIURA and Eiji SHIBATA
 Serial no. : 09/473,080
 Filed : December 28, 1999
 or : CABLE BROADCASTING SYSTEM
 Group Art Unit : 2611
 Examiner : Christopher R. Nalevanko
 Hocket : ADACHI P181US

MAIL STOP AF
 Assistant Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

RESPONSE

Dear Sir:

[XXX] NO FEES ARE PAYABLE WITH RESPECT TO THIS RESPONSE.

In response to the official action mailed June 9, 2003, please enter the following before reconsideration of this application.

REMARKS

Claims 4, 6 and 7 are rejected, under 35 U.S.C. § 103(a), as being unpatentable over Stern et al. '557. The Applicant acknowledges and respectfully traverses the raised obviousness rejection in view of the following remarks.

With respect to the Examiners statement; "Official Notice is taken that it is well known and obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Stern to stagger the command signals so as to not overload the power-supply of a single tap with multiple commands to switch a relay." This Applicant respectfully disagrees and does not concede this point.

As the Examiner is undoubtedly aware the taking of "Official Notice unsupported by documentary evidence should only be taken by the Examiner where the facts asserted to be

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BOSTON MA 02457**FACSIMILE TRANSMITTAL**TO: Christopher R. NalevankoFAX #: (703) 872-9315COMPANY: U.S. Patent & Trademark Office - Group Art Unit #2611FROM: Scott A. Daniels TOTAL NO. OF PAGES SENT: 4DATE: August 1, 2003

REMARKS AND ENCLOSURES:

In re Appln. of: Toshihiro SUGIURA and Eiji SHIBATA
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RECEIVED: Response-3 pgs.

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